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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,641	11/26/2003	Chul Ki Kwak	CHU-0004-D	7320
7590	03/22/2005		EXAMINER ORTIZ, ANGELA Y	
Michael A. Cantor 55 Griffin South Road Bloomfield, CT 06002			ART UNIT 1732	PAPER NUMBER

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/722,641

Applicant(s)

KWAK, CHUL KI

Examiner

Angela Ortiz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7 and 8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7 and 8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 09/809,120.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-5, 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyooka, USP 6,752,946 in view of Naritomi, USP 5,795,525 (both of record).

The cited primary reference substantially teaches the basic claimed method of forming a cover for cellular telephone wherein a foil-decorated film 1 is provided, having printed indicia layer 6 formed adjacent the film (claim 2), and an adhesive layer 15 for bonding to the material to be injected against the film. The foil-decorated film 1 is placed within a molding cavity, the mold is then clamped closed and transparent resin 39 is injected against the adhesive layer of the film and bonds the formed article to the covering film (claim 8). The injected resin defines the transparent display window, the housing and the push buttons for the molded article, and is formed on the inner surface of the film (claims 4, 5, 7). See col. 3, lines 13-34; col. 4, lines 52-67; col. 5, lines 1-2, 27-39; col. 7, lines 1-30, col. 7, line 65 to col. 8, line 30; col. 9, lines 5-21.

The cited primary reference does not teach injection molding buttons or forming a groove around button placing portions as claimed.

Note however, that a liquid crystal display is fitted into transparent window 21 of the cover, as are a plurality of molded push buttons. See col. 12, lines 30-40.

The added secondary reference teaches as conventional the feature of forming a control panel for an electronic apparatus wherein push buttons are formed to appear integral with the cover or panel, wherein a surface-forming thin body portion is molded to have a bevel surface forming portion 14 connecting the button to the panel. This feature is depicted as a groove around the button portions. Note that in a further embodiment as depicted in figure 6, the reference teaches that the thin body portion and the push button form one cavity and are injection molded as one unit during the injection molding step. See col. 4, line 35 to col. 5, line 5; and col. 5, lines 45-65; col. 8, lines 10-35.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to injection mold the push buttons in one step, and form a groove around the push button portions in view of the added reference, when performing the molding method set forth in the primary reference, for shaping an article that has push buttons molded integral with the cover, and formed with an inner groove as an alternative decorative effect, and avoiding an additional fitting step as set forth in the primary reference.

Response to Arguments

Applicant's arguments filed 28 December 2004 have been fully considered but they are not persuasive.

Applicant argues the 102 rejection; however, such is no longer applied over the claims of record.

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Applicant argues that Toyooka does not teach injection molding the buttons so that the buttons are formed with the pad; and that Naritomi is directed to a method of assembling a control panel, and does not teach injection molding the buttons or disposing a transparent window at the window placing portion.

Applicant is redirected to figure 6 of Naritomi, and col. 8, lines 10-35 wherein push buttons are injection molded and formed integrally with the cover, and taught as conventional; applicant is also redirected to Toyooka at col. 12, lines 30-40 wherein the cover 20 is fitted with a liquid crystal display in transparent window 21. Note that window 21 is formed transparent, and is readable on the claimed 'disposing' step. See col. 6, lines 15-25.

With respect to the claimed step of disposing a transparent window as claimed, note that applicant's prior art depicts this as conventional, and the cited primary reference forms a similar window in the forming of the cover, and is readable on the step of disposing. Such is deemed well within the level of ordinary skill in the art, as demonstrated in the admitted prior art, and in view of the improvement taught in the primary reference.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USP's 6423171; 6621027.

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela Ortiz whose telephone number is 571-272-1206. The examiner can normally be reached on Monday-Thursday 9:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on 571-272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Angela Ortiz
Primary Examiner
Art Unit 1732

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